

United States Bankruptcy Court
Western District of Virginia

In re Kenneth L. Waldron

Debtor(s)

Case No. 10-61750

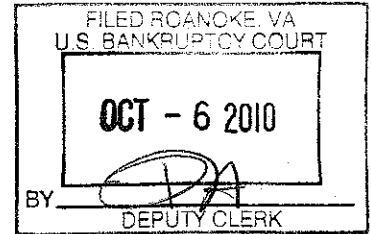
Chapter 7

CRAIG MALLOY
SUSAN MALLOY
Plaintiffs/Counterdefendants

Adversary No. 10-06111

v.

KENNETH L. WALDRON
Defendant/Counterplaintiff



**NOTICE OF HEARING AND MOTION FOR PRELIMINARY INJUNCTION AND FOR ORDER HOLDING
PLAINTIFFS/COUNTERDEFENDANTS CRAIG AND SUSAN MALLOY IN CONTEMPT OF COURT
FOR VIOLATION OF AUTOMATIC STAY**

Please take notice that on October 18, 2010, at 9:30 a.m., or as soon thereafter as the parties may be heard a hearing will be held on the Defendant/Counterclaimants Motion For Preliminary Injunction and Order Holding Craig and Susan Malloy in Contempt of Court for Violation of the Automatic Stay in the United States Bankruptcy Court 255 West Main Street Charlottesville VA 22906

**MOTION FOR PRELIMINARY INJUNCTION AND ORDER HOLDING
PLAINTIFFS/COUNTERDEFENDANTS CRAIG AND SUSAN MALLOY IN CONTEMPT OF COURT
FOR VIOLATION OF AUTOMATIC STAY**

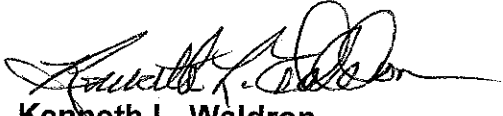
Comes now the Defendant/Counterplaintiff, Kenneth L. Waldron, ~~by and through undersigned counsel,~~ *Pro Se* and moves for a preliminary injunction as follows:

1. In March, 2010, Waldron entered into a one year residential lease for a residential premises located at 13344 Arlington Farm View Lane Culpeper VA 22701 with the Plaintiff/Counterdefendants Craig and Susan Malloy as landlords.
2. On June 9, 2010, the Plaintiffs/Counterdefendants, Craig and Susan Malloy, the Plaintiffs locked the Debtor out of the leased premises, without having obtained an unlawful detainer judgment in accordance with section 55-225.1 of the Code of Virginia. Waldron has been locked out unlawfully and kept of the premises by the Malloys since that date.
3. The Malloys have repeatedly refused to allow Waldron or anyone acting on his behalf to remove his tangible personal property, including his clothing and personal effects, in violation of section 55-225.1 of the Code of Virginia. The Malloys have also run off persons attempting to remove Waldron's property.
4. Waldron's tangible personal property is property of the estate. The Malloys have exercised control of and possession over this property in violation of the automatic stay and in violation of section 362(a)(3) of the Bankruptcy Court.

Wherefore, for the foregoing reasons, Waldron prays for an order finding the Counterdefendants Craig and Susan Malloy in contempt of court for violating the automatic stay and enjoining them from interfering with

Waldron's removal of his tangible personal property from the leased premises and for such other and further relief as the Court deems just and appropriate.

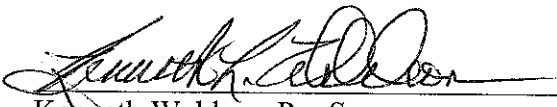
Date
e October 4, 2010

Signature
e 
Kenneth L. Waldron
Kenneth L. Waldron
Debtor

Certificate of Service

I hereby certify that on the 4th day of October, 2010, I mailed a copy of the foregoing to the following:

1. William F Schneider PO Box 739, Lynchburg VA 24505
2. M Paul Valois, 725 Church Street 10th Floor Lynchburg VA 24504
3. Clerk US Bankruptcy Court 210 First Street SW Roanoke VA 24011


Kenneth Waldron, Pro Se

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